

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1589.GLE.PT

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/ES/US)  
CONCERNING A FILING UNDER 35 U.S.C 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/787651**

INTERNATIONAL APPLICATION NO.

PCT/EP99/07111

INTERNATIONAL FILING DATE

24 September 1999

PRIORITY DATE CLAIMED

30 September 1998

TITLE OF INVENTION

VACUUM PUMP

APPLICANT(S) FOR DO/EO/US

Dieter Otto

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ A translation of the amendments to the claims under PCT Article 10 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - Certificate of Mailing
  - Postcard

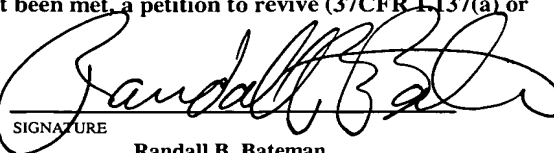
U.S. APPLICATION NO. (if known, see 37 CFR 1.51) <b>09/787651</b>		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . <b>\$970.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. . . . . <b>\$840.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . <b>\$690.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4). . . . . <b>\$670.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4). . . . . <b>\$96.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT -</b>				<b>CALCULATIONS</b> <span style="float: right;">PTO USE ONLY</span>	
				840.00	
				130.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	90 - 20 =	70	X \$18.00	\$ 1260.00	
Independent claims	-3 =		X \$78.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 2230.00	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 2230.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 2230.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A credit card authorization in the amount of \$ 2230.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0881 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0881. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

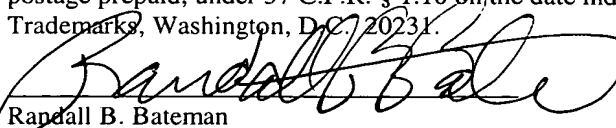
Randall B. Bateman  
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SIGNATURE  
NAME Randall B. Bateman  
REGISTRATION NUMBER 37,774

099690 15928260

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Asst. Commissioner for Patents & Trademarks, Washington, D.C. 20231.

  
Randall B. Bateman

3-20-01  
Date

MORRIS, BATEMAN, O'BRYANT & COMPAGNI

A Professional Corporation  
Attorneys at Law

**MBOC**

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Patents, Trademarks,  
Copyrights, Trade Secrets  
and Related Litigation

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March 20, 2001

Assistant Commissioner  
for Patents  
Box PCT  
Washington, D.C. 20231

Re: National Phase U.S. Patent Application for  
VACUUM PUMP  
Based on PCT Application No. PCT/EP99/07111, filed September 24, 1999  
Claiming priority to: German Pat. App. No. 29823809.8 filed September 30, 1998  
Applicant for U.S. Application: Dieter Otto  
Citizenship of Applicant: Germany  
Our File No. 1589.GLE.PT

Dear Sir:

Transmitted herewith for filing the above-referenced application under 35 U.S.C. 371 are the following:

1. Transmittal Letter to the United States Designated/Elected Office Concerning A Filing Under 35 U.S.C. 371 and
2. A copy of the PCT Application, and a translation thereof, along with a translators certificate.
3. A copy of the International Search Report.
4. A copy of the front page of the WO-publication.
5. A copy of the International Preliminary Examination Report, including annexes.
6. A Preliminary Amendment

MBOC

Assistant Commissioner  
March 20, 2001  
Page 2

7. A Certificate of Mailing by "Express Mail" certifying a filing date of March 16, 2001 by use of Express Mail No. EL593621428US.
8. A Credit Card Authorization in the amount of \$ 2230.
9. A post card for acknowledgment of receipt of the application.

Please direct all future correspondence to:

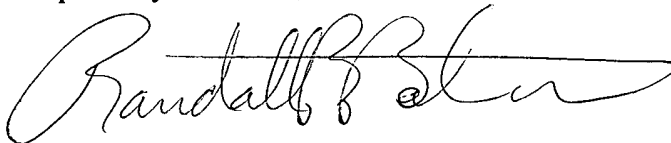
Randall B. Bateman  
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Fax. (801) 685-2303  
E-mail: [bateman@mboclaw.com](mailto:bateman@mboclaw.com)

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Account No. 50-881.

Dated this 20<sup>th</sup> day of March 2001.

Respectfully submitted,



Randall B. Bateman  
Registration No. 37,774

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RBB/ws  
Enclosures

**Certification by Translator**

I, Steve Denny, certify that I am fluent in the German and English languages, and that the above/attached document PCT/EP99/07111 is an accurate translation of the original document from German into the English language.

March 14, 2001  
Date Signed

Name:

Steve Denny

Address:

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Berkeley, California 94701-0521

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F08290 T5928250